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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/053,175

11/13/2001

L. Lance Obermeyer

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01/26/2005

GREGORY SCOTT SMITH

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EXAMINER

BASHORE, WILLIAM L

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,175

Applicant(s)

OBERMEYER ET AL.

Examiner

William L. Bashore

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: original application filed 11/13/2001, with priority filing date of 7/27/2001.
2. Claims 1-20 pending. Claims 1, 10, 12, 20 are independent.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **The claimed invention (as claimed in claims 1-11) is directed to non-statutory subject matter.**

In regard to independent claims 1, 10, each of claims 1 and 10 recite limitations which can be interpreted as a series of mental and/or manual steps (a database can be a file cabinet, a workflow system can be managed via paper/pencil, etc.), therefore said claims are directed to non-statutory subject matter. The examiner's suggestion of amending each of said claims to read "*a computer implemented method...*", will serve to overcome this rejection.

In additional regard to independent claim 10, if it is to be determined that claim 10 is to be performed by a computer, claim 10 does not appear to include any pre or post processing. Instead, the claimed limitations can be directed to manipulation of data within a computer (identifying a record, determining whether a persisted activity record exists, and performing said activity), and is therefore directed to non-statutory subject matter.

In regard to dependent claims 2-9, 11, claims 2-9, 11 are rejected for fully incorporating the deficiencies of their respective base claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-8, 10-11, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (hereinafter Bernardo), U.S. Patent No. 6,247,032 issued June 2001.**

In regard to independent claim 1, Bernardo teaches a method for selected user(s) creating/submitting web site content, said content subject to approval pending publication (Bernardo Title, Abstract – especially at bottom). Bernardo teaches content creators creating proposed pages of a web site, said pages subject to authorized approval pending posting said pages as appropriate. In this fashion, overall web site development (a workflow system environment, see Bernardo Figure 1A item 138), integrates various user content submissions within said web site, (Bernardo column 2 lines 63-67 to column 3 lines 1-5, 50-58). Bernardo additionally teaches a user representative of a company offering various products and services (Bernardo column 6 lines 62-67 to column 7 lines 1-5, especially line 1, also column 18 lines 24-34). Although Bernardo does not specifically disclose association with a “*specific record*”, nevertheless, since Bernardo’s system is directed to content approval and web site creation for various people, it would have been obvious to one of ordinary skill in the art at the time of the invention to associate submissions with a “specific record” of both the submission itself, and the submission authors (i.e. a content record), in order to provide the benefit of tracking a submission to its author for further clarification, etc.

Bernardo teaches a determined approval method to be carried out on submitted data comprising a series of approval steps from one or more designated people (each person manually reads and approves pending content accordingly). The approval process can be accomplished via e-mail notification, with a “link to a page”

Art Unit: 2176

requiring approval from each reviewer. It is noted that the approval process is pending (i.e. persists) until each (up to the last person) approves a submission (Bernardo column 20 lines 2-19). (see citing above, also Bernardo column 3 lines 1-5).

Bernardo does not specifically teach a persisted activity "*record*" in a "*persisted activity database*". However, Since part of Bernardo's invention is to manage workflow of Web site creation, and Bernardo's teaching that more than one reviewer can be assigned to content (see Bernardo column 19 lines 63-65), it would have been obvious to one of ordinary skill in the art at the time of the invention to keep a record of various approvals for a piece of content, in order to track the approval process in an organized manner (i.e. making sure each person approves accordingly). In addition, since Bernardo teaches inclusion of various databases within its invention for holding data (Bernardo Figures 1, 2, 25, etc.), and since it is well established that databases are typically used to organize related data in an efficient manner, it would have been obvious to one of ordinary skill in the art at the time of the invention to use one of Bernardo's databases for storing a record of approvals, providing the benefit of quick retrieval for tracking purposes, etc.

In regard to dependent claims 2, 3, claim 2 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.

It is noted that Bernardo teaches manual approval of pending Web site content (i.e. a record of the content submission and its author(s), said submission is displayed to an approver). A manual action (manual approval) is determined, and performed, accordingly.

Regarding dependent claim 3, since Bernardo teaches various people designated with the roles of editors and approvers, if a Web page is initially disapproved (i.e. does not conform to business logic), various editing can be applied by authorized users to said page to facilitate approval (Bernardo column 10 lines 60-67).

In regard to dependent claim 4, claim 4 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.

In regard to dependent claim 5, Bernardo teaches a Web page submitted to a Legal Department of a company for approval (i.e. passing business logic rules) (Bernardo column 10 lines 40-45).

In regard to dependent claim 6, since Bernardo teaches various people designated with the roles of editors and approvers, if a Web page is initially disapproved, various editing can be applied by authorized users to said page to facilitate approval, therefore the approval process is replayed accordingly until content is approved (Bernardo column 10 lines 60-67).

In regard to dependent claim 7, since it is well established that entering new data in a repository (i.e. a database) entails creating at least a new record, it would have been obvious to one of ordinary skill in the art at the time of the invention for the skilled artisan to create new records (i.e. a new version of a record) for the benefit of holding new data in known formats (i.e. SQL, etc.).

In regard to dependent claim 8, Bernardo does not specifically teach a record acquired from a supplier. However, since Bernardo teaches a "Product/Services Area" (Bernardo Figure 5) possibly subjected to approval, it would have been obvious to one of ordinary skill in the art at the time of the invention for the skilled artisan to acquire records from said product/services area as originating from a supplier (i.e. at least from the Website owners themselves who supply the information for this particular site area, providing the benefit of acquiring various data for business approval).

In regard to independent claim 10, claim 10 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.

In regard to dependent claim 11, Bernardo teaches a Web page submitted to a Legal Department of a company for approval (i.e. passing business logic rules) (Bernardo column 10 lines 40-45).

In regard to independent claim 20, claim 20 reflects the computer program product comprising computer executable instructions used for implementing the methods as claimed in claim 1, and is rejected along the same rationale.

5. **Claims 9, 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo in view of Sevcik et al. (hereinafter Sevcik), U.S. Patent No. 6,330,542 issued December 2001.**

In regard to dependent claim 9, Bernardo teaches a “Product/Services Area” (Bernardo Figure 5) possibly subjected to approval. Bernardo does not specifically teach this associated with an electronic catalog. However, Sevcik teaches an item procurement system for commercial printing, whereby a catalog of printed products are linked to a database of prices and other variable information from various print providers (Sevcik column 3 lines 21-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Sevcik to Bernardo, providing Bernardo the benefit of linking records (i.e. editing, approving, adjusting records) associated with its “Product/Services Area” section with a catalog related product database, for more efficient management.

In regard to independent claim 12, Bernardo teaches a system for selected user(s) creating/submitting web site content, said content subject to approval pending publication (Bernardo Title, Abstract – especially at bottom). Bernardo teaches content creators creating proposed pages of a web site, said pages subject to authorized approval pending posting said pages as appropriate. In this fashion, overall web site development (a workflow system environment, see Bernardo Figure 1A item 138), integrates various user content submissions within said web site, (Bernardo column 2 lines 63-67 to column 3 lines 1-5, 50-58). Bernardo additionally

Art Unit: 2176

teaches a user representative of a company offering various products and services (Bernardo column 6 lines 62-67 to column 7 lines 1-5, especially line 1, also column 18 lines 24-34). Although Bernardo does not specifically disclose association with a “*specific record*”, nevertheless, since Bernardo’s system is directed to content approval and web site creation for various people, it would have been obvious to one of ordinary skill in the art at the time of the invention to associate submissions with a “specific record” of both the submission itself, and the submission authors (i.e. a content record), in order to provide the benefit of tracking a submission to its author for further clarification, etc.

Bernardo teaches a determined approval method to be carried out on submitted data comprising a series of approval steps from one or more designated people (each person manually reads and approves pending content accordingly). The approval process can be accomplished via e-mail notification, with a “link to a page” requiring approval from each reviewer. It is noted that the approval process is pending (i.e. persists) until each (up to the last person) approves a submission (Bernardo column 20 lines 2-19). (see citing above, also Bernardo column 3 lines 1-5).

Bernardo does not specifically teach a persisted activity “*record*” in a “*persisted activity database*”. However, Since part of Bernardo’s invention is to manage workflow of Web site creation, and Bernardo’s teaching that more than one reviewer can be assigned to content (see Bernardo column 19 lines 63-65), it would have been obvious to one of ordinary skill in the art at the time of the invention to keep a record of various approvals for a piece of content, in order to track the approval process in an organized manner (i.e. making sure each person approves accordingly). In addition, since Bernardo teaches inclusion of various databases within its invention for holding data (Bernardo Figures 1, 2, 25, etc.), and since it is well established that databases are typically used to organize related data in an efficient manner, it would have been obvious to one of ordinary skill in the art at the time of the invention to use one of Bernardo’s databases for storing a record of approvals, providing the benefit of quick retrieval for tracking purposes, etc.

In addition, since Bernardo teaches various people designated with the roles of editors and approvers, if a Web page is initially disapproved, various editing can be applied by authorized users to said page to facilitate

Art Unit: 2176

approval, therefore the approval process is replayed accordingly until content is approved (Bernardo column 10 lines 60-67).

Bernardo teaches a "Product/Services Area" (Bernardo Figure 5) possibly subjected to approval. Bernardo does not specifically teach this associated with a "catalog database". However, Sevcik teaches an item procurement system for commercial printing, whereby a catalog of printed products are linked to a database of prices and other variable information from various print providers (Sevcik column 3 lines 21-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Sevcik to Bernardo, providing Bernardo the benefit of linking records (i.e. editing, approving, adjusting records) associated with its "Product/Services Area" section with a catalog related product database, for more efficient management.

In regard to dependent claim 13, Bernardo teaches notifying approvers via E-mail and providing a link to the content to be approved (a user interface) (Bernardo column 20 lines 2-19).

In regard to dependent claims 14, 15, 16, since Bernardo teaches various people designated with the roles of editors and approvers, if a Web page is initially disapproved, various editing can be applied by authorized users to said page to facilitate approval, therefore the approval process is replayed accordingly until content is approved by various approvers (Bernardo column 10 lines 60-67, also Figure 13, column 3 lines 1-10).

In regard to dependent claims 17, 18, 19, since Bernardo teaches various people designated with the roles of editors and approvers, if a Web page is initially disapproved, various editing can be applied by authorized users to said page to facilitate approval, therefore the approval process is replayed accordingly until content is approved by various approvers (Bernardo column 10 lines 60-67, also Figure 13, column 3 lines 1-10).

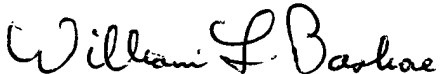
Art Unit: 2176

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM L. BASHORE
PATENT EXAMINER
TECH CENTER 2100
January 23, 2005